

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

IN RE: PATRICK JOSEPH)	
CHAREST)	
)	MISC. ACTION NO.
REQUEST FOR ARBITRATION IN)	2:19mc3852-MHT
THE <i>BRAGGS</i> LITIGATION)	(WO)
)	
BEFORE MAGISTRATE JUDGE)	
DOYLE AS ARBITRATOR)	

ORDER

Plaintiff Patrick Joseph Charest has filed objections to Magistrate Judge Jerusha Adams's orders of August 10, 2021, and a motion to alter, vacate or amend (Doc. 35). Magistrate Judge Adams is the discovery judge in this matter. Magistrate Judge Stephen Doyle is the arbitrator. See Order Appointing the Arbitrator (Doc. 24).

It is ORDERED that:

(1) To the extent that plaintiff Patrick Joseph Charest's objections and motion can be construed to ask the district judge in these proceedings to review the

orders, they are dismissed. The district judge has no such authority. See Consent Decree Concerning Claims Arising Under the ADA, *Braggs v. Dunn*, Case No. 2:14-cv-601-MHT (Doc. 728) at 71 ("If the issue is one that impacts fewer than twelve (12) inmates, resolution through the arbitration process shall be the final resolution under this Amended Agreement."); see also Phase 1 Final Settlement Approval Opinion and Order, *Braggs v. Dunn*, Case No. 2:14-cv-601-MHT (Doc. 727) at 84 ("[T]he decision of the arbitrator is binding (that is, not subject to appeal) ... if the issue affects fewer than twelve (12) inmates.") (quoting Parties' Joint Stip. (Doc. 638) at 1).

(2) To the extent that plaintiff Charest's objections and motion can be construed to ask Magistrate Judge Doyle, as arbitrator, to review the orders, it is for him to decide what to do.

(3) To the extent that plaintiff Charest's objections and motion can be construed to ask

Magistrate Judge Adams to reconsider her orders, it is
for her to decide what to do.

DONE, this the 24th day of September, 2021.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE